IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

Appeal No. 682 of 2005
In
Company Petition No. 795 of 2004

M/s. Landmarc Leisure Corporation .. Appellants
V/s.
Rohini Industrial Electricals Pvt. Ltd. .. Respondents

Mr. Shyam Diwan i/b. Mr. M.B. Shirsat for the Appellants
Mr. D.H. Mehta i/b. Mr. M.G. Mimani for the Respondents

CORAM : DR. S. RADHAKRISHNAN &
S.C. DHARMADHIKARI, JJ.
DATED : 05.09.2005.

P.C.:-

1. Heard the learned counsel for the Appellants and the Respondents. By this Appeal, the Appellant is challenging the order dated 25.4.2005, whereby the learned Single Judge has admitted the Company Petition No. 795 of 2004. After hearing the parties for some time, the learned counsel for the Appellants states that the Appellants will deposit a sum of Rs. 5,45,000/- with the Prothonotary and Senior Master within a period of four weeks from today.

2. Both the learned counsel for the Appellants and the Respondents submit that if the aforesaid amount is deposited within four weeks from today with the Prothonotary and Senior Master, the impugned order to stand set aside by consent. Both the learned counsel for the parties state that no reasons need to be given. Both the parties are agreeable that the Company

Petition to be taken up afresh for admission.

(2)

3. We make it clear that in the event the aforesaid sum of Rs. 5,45,000/- is not deposited in this Court, within a period of four weeks from today, the Appeal itself will stand dismissed. Upon such deposit being made, within four weeks from today, the impugned order dated 25.4.2005 shall stand set aside. Company Petition No. 795 of 2004 to stand restored, to be heard afresh before the learned Single Judge for admission. Appeal stands disposed of accordingly.

(DR. S. RADHAKRISHNAN, J.)

(S.C. DHARMADHIKARI, J.)